

MEETINGS TO DATE 8
NO. OF REGULARS 7
NO. OF SPECIALS 1

LANCASTER, NEW YORK
APRIL 11, 1988

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 11th day of April 1988, at 8:00 P.M. and there were

PRESENT: RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN
STANLEY JAY KEYSA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
RICHARD J. SHERWOOD, TOWN ATTORNEY
ROBERT L. LANEY, BUILDING INSPECTOR
ROBERT LABENSKI, TOWN ENGINEER
THOMAS E. FOWLER, CHIEF OF POLICE

BID OPENING SCHEDULED FOR 8:15 P.M.:

At 8:15 P.M., the Town Board considered sealed proposals for furnishing to the Town of Lancaster a refuse dumping site for the year 1988.

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN MILLER AND CARRIED, by unanimous voice vote, the time for receiving the aforesaid proposals was closed at 8:15 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

A proposal was received from the following bidder:

BIDDER

Walt's Tree Service, Inc.
69 Cemetery Road
Lancaster, New York 14086

ON MOTION BY COUNCILMAN MILLER, AND SECONDED BY COUNCILMAN KWAK AND CARRIED, by unanimous voice vote, the aforesaid proposals were ordered turned over to the Town Attorney for examination, tabulation and recommendation.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of the said Town entitled "ARTICLE IX - Speed Regulations" - pertaining to Bowen Road, Peppermint Road, William Street.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

<u>PROPOSERS</u>	<u>ADDRESS</u>
Norman Saelzer	4887 William Street
Philip Bulera	3610 Bowen Road
Richard Saelzer	3674 Bowen Road
Paul PiJanowski	3646 Bowen Road
Kathy PiJanowski	3646 Bowen Road
Monica Perna	200 Seibert Road
Joseph Thomas	3534 Bowen Road
Lorraine Beris	3606 Bowen Road

<u>COMMENTS</u>	<u>ADDRESS</u>
Ernest Getzoni	9 Old Schoolhouse Road
Alexander Nawrocki	700 Ransom Road

ON MOTION BY COUNCILMAN MILLER, AND SECONDED BY COUNCILMAN KWAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:05 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

PUBLIC HEARING SCHEDULED FOR 9:00 P.M.:

At 9:00 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster regarding Pine Hill Concrete Mix Corporation's petition to rezone property from a SA-Suburban Agricultural District to an AG-Special Aggregates District.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PUBLIC HEARING SCHEDULED FOR 9:00 P.M. CONTD.:

The Town Clerk presented a copy of a letter which was mailed to the Petitioner, notifying him of the time and place of this Public Hearing.

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending approval of the proposed rezone.

The Town Clerk presented the following communications relative to this Public Hearing:

<u>PROPONENTS</u>	<u>ADDRESS</u>
Kenneth Ziccarelli representing the petitioner	
<u>OPPONENTS</u>	<u>ADDRESS</u>
None	
<u>COMMENTS</u>	<u>ADDRESS</u>
James Guenther	562 Pavement Rd., Lancaster, N.Y.
<u>QUESTIONS</u>	<u>ADDRESS</u>
David Chiarolanza	6227 Genesee St., Lancaster, N.Y.

ON MOTION BY COUNCILMAN GIZA, AND SECONDED BY COUNCILMAN KWAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:35 P.M.

The Supervisor Informed those present that the Town Board would reserve decision on this matter.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town
Board, held on March 21, 1988, as presented by the Town Clerk, be and hereby
are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 11, 1988

File: R-MIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, a Public Hearing was held on the 11th day of April, 1988,
for the purpose of amending Chapter 46 - Vehicle and Traffic Ordinance of the
Code of the Town of Lancaster, and persons for and against such amendments
have had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearing was duly published and
posted;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of
the Town of Lancaster, be amended in the form attached hereto and made a part
hereof;

2. That said amendments be added in the minutes of the meeting of
the Town Board of the Town of Lancaster held on the 11th day of April, 1988,

3. That a certified copy of the amendment be posted on the Town
Bulletin Board;

4. That a certified copy thereof be published in the Lancaster Bee
on April 14, 1988;

5. That Affidavits of Publication and Posting be filed with the
Town Clerk, and

6. That the Highway Superintendent take whatever action is necessary
to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

April 11, 1988

LEGAL NOTICE
NOTICE OF ADOPTION OF AMENDMENT
TO
VEHICLE & TRAFFIC ORDINANCE
OF THE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED CHAPTER 46 OF THE CODE OF TOWN OF LANCASTER

The Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of the Town of Lancaster, is hereby amended as follows:

ARTICLE IX - Speed Regulations.

§46-9, Maximum Speed Limits, is hereby amended by adding thereto the following:

.

C. A speed limit of Forty-five (45) miles per hour shall be posted on the following designated highways:

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(5) Bowen Road, for northbound and southbound traffic from Broadway south to the southern boundary of the Town of Lancaster at the Town of Elma;

(6) Peppermint Road, for eastbound and westbound traffic from Pavement Road east to Ransom Road.

F. A speed limit of Forty (40) miles per hour shall be posted on the following designated highways:

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(2) William Street, for eastbound and westbound traffic, from Transit Road east to Bowen Road.

STATE OF NEW YORK:
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

THIS IS TO CERTIFY, that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the TOWN OF LANCASTER in said County of Erie, have compared the foregoing copy of Amendment to the Vehicle and Traffic Ordinance, with the original thereof filed in my office at Lancaster, New York, on the 11th day of April, 1988, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Town, this 11th day of April, 1988.



Town Clerk and Registrar of Vital
Statistics

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Master Water Improvement Area of the Town of Lancaster maintains hydrants along the westerly line of Town Line Road between Schlemmer Road and the south boundary line of the Town of Alden, and

WHEREAS, the Master Water Improvement Area of the Town of Lancaster has heretofore contracted with Alden Fire Protection District of the Town of Alden for the use of said hydrants, and

WHEREAS, the Town Board of the Town of Alden has duly held a public hearing on behalf of the Alden Fire Protection District to contract with the Master Water Improvement Area of the Town of Lancaster for the said hydrants in accordance with an Agreement approved by the Town Attorney and on file with the Town Clerk, which Agreement has been approved by the Town Board of the Town of Alden;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute an Agreement by and between the Town of Alden on behalf of Alden Fire Protection District, and the Master Water Improvement Area of the Town of Lancaster, providing for rental of forty-five (45) hydrants along the westerly line of Town Line Road between Schlemmer Road and the south boundary line of the Town of Alden, commencing April 1, 1988 and terminating March 31, 1993, all in accordance with the terms of said Agreement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

April 11, 1988

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, It is the Intention of the Town Board of the Town of Lancaster to sponsor a Recreation Program for the Elderly within the geographic area of the Town of Lancaster for the period of April 1, 1988 through March 31, 1989, and

WHEREAS, the Town of Lancaster is about to submit a renewal application for state aid for the operation for such program to the New York State Recreation Council for the Elderly, New York State Education Department, Albany, New York, and if approved, to apply subsequently to the State of New York for partial reimbursement of funds to be expended,

NOW, THEREFORE, BE IT

RESOLVED:

That such application to the New York State Recreation Council for the Elderly is in all respects approved and that Stanley Jay Keysa, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Recreation Council for the Elderly, New York State Education Department, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 11, 1988

File: R-STATE-ELD

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR KEYSA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, the Supervisor has recommended to the Town Board of the
Town of Lancaster the approval of Change Order No. 4 in the amount of
\$10,831.76 (Decrease) for Contract LT-1, Erie County Sewer District No. 4,
to adjust the contract amount to reflect quantities installed during
construction,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
approves Change Order No. 4, Contract LT-1, Project Sanitary Relief Sewers,
with C.M.H. Co., Inc., 590 Cayuga Creek Road, Cheektowaga, New York, in the
amount of \$10,831.76 (Decrease), and

BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and
directed to execute Change Order No. 4, Contract LT-1, as filed with the
Town Clerk and recapped as follows:

Change Order No. 4 - C.M.H. Co., Inc.:

Original Contract	366,060.50
Previous Extras	142,194.35
This Extra	<u>0.00</u>
Total	508,254.85
Previous Deductions	0.00
This Deduction	<u>10,831.76</u>
NET TOTAL	497,423.09

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

April 11, 1988

File: R-CHNG-ORD (P5)

PREFILED RESOLUTION NO. 6 - MEETING HELD APRIL 11, 1988

Miller/_____ Approve Agreement to Spend Town Highway
Funds

At the request of Councilman Miller, Prefiled Resolution No. 6 was
withdrawn for further study.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, Marrano/Marc Equity Corporation, 2730 Transit Road, West Seneca, New York, has applied to the Town Board of the Town of Lancaster for permits to construct Public Improvements upon real property in the Town of Lancaster within Heritage Hills Subdivision, Phase II (B), and

WHEREAS, Heritage Hills Subdivision, is a subdivision within the Town of Lancaster, filed under Map Cover No. 2413 in the Erie County Clerk's Office on March 23, 1979, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit application Nos. 133, 134, 135, 136, and 137 of Marrano/Marc Equity Corporation, 2730 Transit Road, West Seneca, New York, for the installation of:

P.I.P. No. 133 - Approximately 314 lineal feet Heritage Drive
(Pavement & Curbs) from existing pavement at STA 30+50 to STA 33+64 (end); approximately 884 lineal feet Greenmeadow Drive from STA 0+00 to STA 8+84 (end); Total approx. 1198 lineal feet Heritage and Greenmeadow Drives.

P.I.P. No. 134 - Approximately 42 lineal feet, 12" RCP, 1 road
(Storm Sewer) receiver and associated appurtenances.

P.I.P. No. 135 - Approximately 1200 lineal feet of 8" C900 PVC;
(Water Line) 2 hydrants complete; 4 line valves; 2-2" blowoffs and appurtenances thereto.

P.I.P. No. 136
(Sidewalk)

Across every lot fronting on Heritage and Greenmeadow Drives specific to those lots located in Phase II (B) of Heritage Hills Subdivision, Mapcover #2413; ie: sublots 45 thru 70 inclusive.

P.I.P. No. 137
(Street Lighting)

As shown on street lighting plan prepared by N.Y.S.E.G. as approved by the Lighting Committee specific to those lots located in Heritage Hills Subdivision, Phase II (B), Mapcover #2413; ie: Sublots 45 thru 70 inclusive.

be and are hereby approved and the installation of the improvements requested be and are hereby authorized, subject to the following condition:

No Building Permits shall be issued until Performance Security as authorized in Chapter 11-6 of the Code of the Town of Lancaster is provided -- or -- until approval of all Public Improvements, including lighting and sidewalks, by the Town Engineer and Town Board, and sewer by Erie County Sewer District No. 4, and conveyance of Warranty Deed with adequate title insurance and bill of sale of improvements rights-of-way, and easement, and delivery of two (2) year maintenance bonds from date of acceptance in the principal sum of 25% of the total cost of the improvement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 11, 1988

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR KEYSA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA, TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster, by letter dated April 7, 1988, has requested authorization to have Jean Tamol, Secretary to the Supervisor, attend a basic double entry accounting school sponsored by the New York State Office of the State Comptroller, at Painted Post, New York from April 11th through April 15th, 1988,

NOW, THEREFORE, BE IT

RESOLVED, that JEAN TAMOL, Secretary to the Supervisor of the Town of Lancaster, be and hereby is authorized to attend a basic double entry accounting school sponsored by the New York State Office of the State Comptroller, at Painted Post, New York from April 11th through April 15th, 1988, and

BE IT FURTHER

RESOLVED, that expense reimbursement for ordinary and necessary expenses be authorized in an amount not to exceed a total of \$425.00, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

April 11, 1988

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, Marrano/Marc Equity Corporation, 2730 Transit Road, West Seneca, New York, has applied to the Town Board of the Town of Lancaster for permits to construct Public Improvements upon real property in the Town of Lancaster within Country View East Subdivision, Phase V, and

WHEREAS, Country View East Subdivision, is a subdivision within the Town of Lancaster, filed under Map Cover No. 2418 in the Erie County Clerk's Office on September 4, 1979, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit application Nos. 138, 139, 140, 141, and 142 of Marrano/Marc Equity Corporation, 2730 Transit Road, West Seneca, New York, for the installation of:

- | | |
|--|--|
| P.I.P. No. 138
(Sidewalk) | Across every lot fronting on Pheasant Run N. and Tanglewood Drive specific to those lots located in Country View East Subdivision, Phase V, Mapcover #2418; ie: sublots 18 thru 35 and 125 thru 133 inclusive. |
| P.I.P. No. 139 -
(Water Line) | Approximately 940 lineal feet of 8" C900 PVC; 1 hydrant complete; 1 gate valve, tie into existing waterline at intersection of Fox Hunt Road in Country View Subdivision. |
| P.I.P. No. 140 -
(Storm Sewer) | +/- 307 lineal feet, 12" CCMP, +/- 58 lineal feet 12" RCP; 4 road receivers and associated appurtenances. |
| P.I.P. No. 141 -
(Pavement & Curbs) | Approximately 1108 lineal feet Pheasant Run N. from existing pavement at STA 37+50 to STA 48+58 (end) at existing pavement Country View Subdivision, complete radius paving and curbs at intersection of Pheasant Run N. and Tanglewood Drive. |
| P.I.P. No. 142
(Street Lighting) | As shown on street lighting plan prepared by N.Y.S.E.G. as approved by the Lighting Committee specific to those lots located in Country View East Subdivision, Phase V, Mapcover #2418; ie: Sublots 18 thru 35 and 125 thru 133 inclusive. |

be and are hereby approved and the installation of the improvements

requested be and are hereby authorized, subject to the following condition:

No Building Permits shall be issued until Performance Security as authorized in Chapter 11-6 of the Code of the Town of Lancaster is provided -- or -- until approval of all Public Improvements, including lighting and sidewalks, by the Town Engineer and Town Board, and sewer by Erie County Sewer District No. 4, and conveyance of Warranty Deed with adequate title insurance and bill of sale of improvements rights-of-way, and easement, and delivery of two (2) year maintenance bonds from date of acceptance in the principal sum of 25% of the total cost of the improvement.

and,

BE IT FURTHER

RESOLVED, that the Town Attorney is to prepare, and the Supervisor be and is hereby authorized to execute an addendum to an existing agreement between Marrano/Marc Equity Corporation and the Town of Lancaster, providing for the collection of a \$325.00 escrow deposit for each building permit issued within Phase V of the development of Country View East Subdivision, to include in said agreement provisions for collecting an escrow deposit for building permits issued in Phase V of said subdivision, said escrow deposits to be held as performance security for the construction of a detention basin for Phases III, IV, and V of said subdivision.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

April 11, 1988

File: R-P.I.P. (P13-14)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA TO WIT:

WHEREAS, the Twin District Volunteer Fire Company, Inc., by letter dated March 18, 1988, has requested the confirmation of two new members duly elected to the membership of the Twin District Volunteer Fire Company, Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the additions to the membership of the Twin District Volunteer Fire Company, Inc. of the following individuals:

ADDITIONS

Alfred D. Benedick, Jr.
1166 Penora Street
Lancaster, New York 14086

Andrew Harhigh
1172 Penora Street
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

April 11, 1988

FILE: R-FIRE (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 1198 to Claim No. 1469 Inclusive.

Total amount hereby authorized to be paid:

\$624,217.83

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

April 11, 1988

File: R-CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

RESOLVED, that the following Building Permit Applications be and
are hereby approved and the Issuance of these Building Permits be and are
hereby authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
72	L.P.R.C. Unlimited	340 Harris Hill Rd.	TRANSPORT SIN. DWLG
73	Robert Light	340 Westwood Rd.	ER. SIN. DWLG, GARAGE
74	RCF Building Corp.	92 Pheasant Run N.	ER. SIN. DWLG, GARAGE
75	John McCarthy	52 Simme Rd.	ER. STOR. BLDG, GREENHOUSE
76	Johanna Flegl	184 Cemetery Rd.	ER. GARAGE
77	Richard Folck	1170 Penora St.	ER. FENCE
78	James Guenther	562 Pavement Rd.	ER. FENCE
79	Jim Preiss	54 Country Pl.	ER. SIN. DWLG, GARAGE
80	Marrano/Marc Equity	10 Oakwood Com	ER. SIN. DWLG
81	Marrano/Marc Equity	9 Oakwood Com	ER. SIN. DWLG
82	Marrano/Marc Equity	2 Oakwood Com	ER. SIN. DWLG
83	Marrano/Marc Equity	7 Oakwood Com	ER. SIN. DWLG
84	Marrano/Marc Equity	83 Pheasant Run La.	ER. SIN. DWLG
85	Marrano/Marc Equity	65 Pheasant Run La.	ER. SIN. DWLG
86	Marrano/Marc Equity	23 Oakwood Com	ER. SIN. DWLG
87	Joel A. Cristall	291 Westwood Rd.	ER. SIN. DWLG, GARAGE
88	LoveJoy Floor Covering	1723 Como Park Blvd.	ER. SIN. DWLG, GARAGE
89	Knab Associates Inc.	29 Hidden Trail	ER. SIN. DWLG, GARAGE
90	N.D.C. Homes	17 Robins Nest Court	ER. SIN. DWLG, GARAGE
91	David Erny	6323 Broadway	ALT. PORCH
92	Clifton Allen	1290 Penora St.	ER. GARAGE
93	Marrano/Marc Equity	23 Shady Side La.	ER. SIN. DWLG
94	Marrano/Marc Equity	36 Greenbriar Dr.	ER. SIN. DWLG
95	Marrano/Marc Equity	14 Tanglewood Dr.	ER. SIN. DWLG
96	M.J. Oglony Bldrs.	20 Country Pl.	ER. SIN. DWLG, GARAGE
97	All Craft	71 Gale Dr.	ER. SIN. DWLG, GARAGE
98	Randy Stanek	1067 Ransom Rd.	ER. FENCE
99	Dan Torres	64 Marky St.	ER. FENCE

100	Paul Stotz	21 Impala Pkwy.	EXT. SIN. DWLG
101	Russell Salvatore	6461 Transit Rd.	EXT. RESTAURANT
102	John Stempniak	590 Pavement Rd.	ER. SIN. DWLG, GARAGE
103	Ferry Bldrs.	4234 Walden Ave.	ER. STOR. BLDG, OFF. BLDG
104	M/M Muschaweck	1444 Town Line Rd.	ER. SIN. DWLG
105	Eric Vogel	232 Brunck Rd.	ER. SIN. DWLG, GARAGE
106	Mandon Building Systems	84 Gunville Rd.	ER. STOR. BLDG, OFF. BLDG
107	Donato Const.	4 Grace Way	ER. SIN. DWLG, GARAGE
108	Fred Donato	1113 Penora St.	ER. SIN. DWLG, GARAGE
110	Majestic Pools	32 Schlemmer Rd.	ER. POOL
111	George O'Neill	111 Nichter Rd.	ER. GARAGE
112	M/M Al St. George	100 Pleasant View Dr.	ER. SIN. DWLG, GARAGE

and,

BE IT FURTHER

RESOLVED, that Building Permit Application No. 109, issued to Fred Donato, to erect a single dwelling on premises located at 8 Jenny Lane, be and is hereby tabled, and,

BE IT FURTHER

RESOLVED, that the Town of Lancaster reserves the right, at any future date, to order the installation of a sidewalk on premises known as 100 Pleasant View Drive, with cost to be paid by the then owner of the property, and

BE IT FURTHER

RESOLVED, that Building Permit Application Nos. 73, 87, 102, 104, and 105 be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

April 11, 1988

File: R-BLDG

STATUS REPORT ON UNFINISHED BUSINESS:

1. Detention Basin - School Property for Country View East
On January 27, 1988, the Town Attorney wrote to Marrano/Marc Equity and informed them that the Town Board expects this detention basin to be constructed by them this year.
2. Excavating Ordinance - "Free Structure"
On March 21, 1988, the Town Board held a public hearing on this matter and reserved decision.
3. Public Improvement Permit Authorization - Country View East Subdivision, Phase I (Marrano/Marc Equity).
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1988.
4. Public Improvement Permit Authorization - Country View East Subdivision, Phase II and Phase III (Marrano/Marc Equity).
This item remains under unfinished business until a retention basin is constructed on the Lancaster Sr. High School property.
5. Public Improvement Permit Authorization - Country View East Subdivision, Phase IV (Marrano/Marc Equity).
This item remains under unfinished business until P.I.P. No. 109 (street lighting) is accepted and a retention basin is constructed on the Lancaster Sr. High School property.
6. Public Improvement Permit Authorization - Country View East Subdivision, Phase V (Marrano/Marc Equity).
The Town Board authorized issuance of P.I.P. Nos. 138 (sidewalks), 139 (water line), 140 (storm sewer), 141 (Pavement and curbs), and 142 (street lighting), on April 11, 1988..
7. Public Improvement Permit Authorization - Countryside Subdivision, Phase II (Josela Enterprises)
This item remains under unfinished business until P.I.P. No. 102 (street lights) is accepted by the Town of Lancaster.
8. Public Improvement Permit Authorization - Heritage Hills Subdivision, Phase I (Marrano/Marc Equity)
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
9. Public Improvement Permit Authorization - Heritage Hills Subdivision, Phase II(A) (Marrano/Marc Equity)
This item remains under unfinished business until P.I.P. No. 108 (street lighting) is accepted by the Town Board.
10. Public Improvement Permit Authorization - Heritage Hills Subdivision, Phase II(B) (Marrano/Marc Equity)
The Town Board authorized issuance of P.I.P. Nos. 133 (Pavement and curbs), 134 (storm sewer), 135 (water line), 136 (sidewalks), and 137 (street lighting), on April 11, 1988..
11. Public Improvement Permit Authorization - Indian Pine Village (Fischione Const., Inc.)
On August 10, 1987, the Town Clerk was authorized to issue P.I.P. Nos. 122 (street lighting), 123 (sidewalk) and 125 (storm sewer). On September 8, 1987, the Town Clerk was authorized to issue P.I.P. No. 128 (Detention Basin). On December 21, 1987 the Town Board accepted P.I.P. No. 124 (pavement & curbs), and 125 (water lines).

STATUS REPORT ON UNFINISHED BUSINESS CONT'D:

12. Public Improvement Permit Authorization - Lancaster Commerce Center (Gelert Development)
The Town Board authorized issuance of P.I.P. Nos. 79 (water main) and 80 (retention basin) on June 6, 1983.
13. Public Improvement Permit Authorization - Plumb Estates (Galasso)
The item remains under unfinished business until P.I.P. No. 127 (detention basin) and P.I.P. No. 114 (street lighting) is accepted by the Town Board.
14. Public Improvement Permit Authorization - Plumb Estates South, Phase I (Galasso)
The Town Board authorized issuance of P.I.P. Nos. 116 (pavement and curbs), 117 (storm sewer), and 118 (water line) on August 11, 1987.
15. Public Improvement Permit Authorization - Plumb Estates South, Phase II (Galasso)
The Town Board authorized issuance of P.I.P. Nos. 119 (pavement and curbs), 120 (water line), and 121 (storm sewer) on August 11, 1987.
16. Public Improvement Permit Authorization - Warnerview Estates (Donato)
The Town Board authorized issuance of P.I.P. Nos. 129 (detention basin), 130 (water line), 131 (pavement and curbs), and 132 (storm sewer) on December 21, 1987.
17. Rezone Petition - Cardinal Industries
On February 10, 1988, this matter was referred to the Planning Board for review and recommendation. On February 18, 1988, the Planning Board recommended approval of this rezone. On March 21, 1988, the Town Board set a public hearing on this matter for April 18, 1988.
18. Rezone Petition - Pine Hill Concrete Corp.
On April 11, 1988, the Town Board held a public hearing on this matter and reserved decision.
19. Subdivision Approval - Meadowland Subdivision (Bosse - Off Redleln Dr.)
On November 6, 1986, this matter was referred to the Planning Board Chairman, Chief Fowler, Highway Superintendent, Town Engineer, and Town Planning Consultant for review and report.
20. Traffic Study - Speed Reduction, Peppermint Road
On March 16, 1987, this matter was referred to the Police and Safety Committee and to the Police Chief for investigation and recommendation.
21. Zoning Ordinance and Map Update
On June 15, 1983, Consultant Richard Brox conveyed a draft to the Town Board and Planning Board. Numerous joint sessions have been held to resolve areas of concern. SEQR review, on the ordinance only, was held on July 18, 1984. The proposed map has not been subjected to SEQR review.
22. Zoning Ordinance Amendment - Campers and Boats
On March 21, 1988, the Town Board held a public hearing on this matter and reserved decision.

PERSONS ADDRESSING TOWN BOARD:

Donald Symer, 610 Columbia Avenue, spoke to the Town Board relative to expediting development of a north/south highway between Broadway and the New York State Thruway.

Patricia Stanek, 1067 Ransom Road, spoke to the Town Board about lowering the speed limit on Ransom Road.

COMMUNICATIONS:DISPOSITION

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| 243. Town Clerk to Town Board -
Notice of contracts expiring 6/30/88. | Town Attorney |
| 244. Twin District V.F.C. to Town Clerk -
Recommendation of two members to active roster. | R & F |
| 245. Cheektowaga Town Clerk to Town Clerk -
Notice of public hearing to be held 4/4/88 re:
rezone application for vacant area to rear of
6354, 6360, and 6366 Transit Rd. | Building Inspector |
| 246. Lancaster Village Mayor to Town Board -
Notice that Village will use North End Fire
Hall for board meetings and court sessions. | R & F |
| 247. Supervisor to Lancaster Police and Highway Depts.,
Bowmansville V.F.A., Pine Hill Concrete Mix Corp.,
Frey Concrete, Ripa's Rest. and Lancaster Central
School District -
Notice of closing of Pavement Rd. from
4/4/88 to 4/8/88. | R & F |
| 248. Supervisor to P.S.C. -
Comments re: Nat'l Fuel Gas proposed rates. | R & F |
| 249. NYSDOT to Supervisor -
Comments re: Transit Rd. Project. | Engineer |
| 250. Lancaster Community Prayer Breakfast to Town
Board -
Invitation to annual breakfast on 4/23/88. | Town Board |
| 251. Association of Towns to Supervisor -
Comments re: T.A. study and LG/PC grant. | Building Committee |
| 252. Town Attorney to State Comptroller -
Advisement re: Proposed Lancaster Commerce
Center Drainage, Sewer, and Water Districts. | R & F |
| 253. Building Inspector to Town Board -
Monthly report for March 1988. | R & F |
| 254. Town Attorney to Saperston & Day, P.C. -
Notice that remaining required documents re:
Lancaster Commerce Center have been filed
with the N.Y.S. Dept. of Audit & Control. | R & F |
| 255. Depew Memorial day Committee to Town Board -
Invitation to attend ceremonies on 5/30/88. | Town Board |
| 256. The Giallanza Corp. to Supervisor -
Recommendation re: tree planting. | Tree Committee |
| 257. <u>NOTES</u> (Association of Towns) -
Article entitled "Budget Deadline Nears -
Revenue Sharing Needs Your Help". | Supervisor |
| 258. NFTC to Supervisor -
Notice of meeting to be held 3/31/88 at
Buffalo. | R & F |
| 259. N.Y.S. Off. of Parks, Recreation and Historic
Preservation to Supervisor -
Transmittal of approved contract re:
State aid for Town Hall renovation. | Fox & Co. |
| 260. Alden Councilman Nunn to Supervisor -
Response re: house numbering on Town Line Rd. | Public Safety |

COMMUNICATIONS CONT'D.:DISPOSITION

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| 261. Southern Tier Consulting Corp. to Supervisor -
Mined Land Use Plan for Pine Hill Concrete Mix
Corp. - Genesee North Pit. | P.H. File

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| 262. LVAC to Town Board -
Invitation to attend open house on 4/30/88. | R & F

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| 263. Police Chief to Lancaster School Board V.P. -
Completed questionnaires and comments re:
pedestrian traffic at Country View Way and
Central Ave. Intersection. | R & F

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| 264. County Environmental Health Services to
Supervisor -
Comments re: public swimming pool regulations. | Engineer

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| 265. County Dept. of Emergency Services to Supervisor -
Notice of seminar to be held 4/18/88 in
Cheektowaga entitled "SARA Title III Seminar
for Public Officials." | Building Inspector

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| 266. Planning Board to Town Board -
Minutes from meeting held 3/16/88. | R & F

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| 267. Cheektowaga Town Clerk to Town Board -
Notice of public hearing to be held 4/18/88
re: property rezone of vacant area to rear of
6354, 6360, 6366 Transit Rd. | R & F

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| 268. Cheektowaga Town Clerk to Town Board -
Notice of public hearing to be held 4/18/88
re: property rezone of 4976 Transit Rd. | R & F

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| 269. Sen. Volker to Town Clerk -
Requested Senate Finance Committee to re-
appropriate funds in 1988-89 State Budget for
the N.E.C.S.W. Management Board. | R & F

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| 270. Recreation Commission to Town Board -
Minutes from meeting held 3/26/88. | R & F

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| 271. Town Clerk to Supervisor -
Monthly report for March 1988. | R & F

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| 272. N.Y.S. Dept. of Environmental Conservation to
Councilman Miller -
Notice that Walt's Tree Service cannot accept
trash or spring clean-up waste. | Town Attorney

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| 273. Building Inspector to Town Board -
Recommends ordinance change re: swimming pool
enclosure. | Planning Board
Planning Committee

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| 274. N.Y.S. Comm. of Cable television to Town Clerk -
Notice of extension of time to file comments
re: channel capacity. | R & F

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| 275. Town Engineers to Supervisor -
Transmittal of P.I.P. applications for
Heritage Hills Subdivision, Phase II(b). | R & F

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| 276. Dir. of Adm. and Finance to Supervisor -
Request authorization to have Jean Tamol
attend basic double entry accounting school
at Painted Post from 4/11-15/88. | R & F

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| 277. Town Attorney to Councilman Czapla -
Advisement re: State Commission on CTAV -
rule amendments. | Cable TV Committee

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COMMUNICATIONS CONT'D.:DISPOSITION

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| 278. Town Attorney to Highway Supt. -
Correspondence and comments re: Walt's Tree
Service use of Schultz's Demolition Landfill. | TOWN ATTORNEY

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| 279. Town Attorney to Councilman Miller -
No objection to proposed Municipal Agreement
expanding the N.E.C.S.W. Management Board. | SOLID WASTE COMMITTEE

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| 280. Town Engineers to Supervisor -
Transmittal of P.I.P. applications for
Country View East Subdivision, Phase V. | R & F

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| Supervisor Keysa requested a suspension of the necessary rule for
immediate consideration of the following communications - | |
| 281. Hazmat Leader to Supervisor -
Re: explanation of federal grant request. | SUPERVISOR

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| 282. Cheektowaga Town Clerk to Supervisor -
Re: Rescheduling of Rezoning rear of
6354, 6360, 6366 Transit Road. | R & F

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| 283. Kevin Repka and Raymond Repka to Supervisor -
Letter of appreciation and advisement of
severed ties with Fischione Construction. | R & F

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| 284. Village of Lancaster Mayor to Supervisor -
Re: excavation fee Increases and Como Lake
Project. | SUPERVISOR

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| 285. County Dept. of Public Works to Supervisor -
Notice of pre-letting meeting re: Ransom Rd.
Bridge Project to be held 4/14/88 at Buffalo. | TOWN ENGINEER

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| 286. County Dept. of Public Works to Supervisor -
Notice of bid opening on 4/21/88 for the
Ransom Rd. Bridge Project. | TOWN ENGINEER

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| 287. Hinman, Straub, Pigors & Manning to Supervisor -
Transmittal of Senate Bill No. 450-A re:
"Limitation on certain awards". | TOWN ATTORNEY

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| 288. Supervisor to Sen. Volker -
Expression of appreciation for efforts
resulting in granting of state funds for
police radio systems. | R & F

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ADJOURNMENT

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD
AND CARRIED, the meeting was adjourned at 11:15 P.M. out of respect to:

THEODORE MASHLONIK
THADDEUS OLEKSY
ROMAN SZPARA

Signed



Robert P. Thill, Town Clerk